

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION**

SCOTT TURNAGE , CORTEZ D.
BROWN, DEONTAE TATE, JEREMY S.
MELTON, ISSACCA POWELL, KEITH BURGESS,
TRAVIS BOYD, TERRENCE DRAIN, and
KIMBERLY ALLEN on
behalf of themselves and all similarly
situated persons,

Plaintiffs,

v.

BILL OLDHAM, in his individual capacity and in his
official capacity as the Sheriff of Shelby County,
Tennessee; ROBERT MOORE, in his individual
capacity and in his official capacity as the Jail Director
of Shelby County, Tennessee; CHARLENE
MCGHEE, in her individual capacity and in her
official capacity as the Assistant Chief of Jail Security
of Shelby County, Tennessee; DEBRA HAMMONS,
in her individual capacity and in her official capacity
as the Assistant Chief of Jail Programs of Shelby
County, Tennessee; SHELBY COUNTY,
TENNESSEE, a Tennessee municipality; and TYLER
TECHNOLOGIES, INC., a foreign corporation,

Defendants.

**Civil Action No. 2:16-cv-02907-SHM-
tmp**

(Hon. Judge Samuel H. Mays)

**PARTIES' JOINT MOTION AND MEMORANDUM FOR ENTRY OF PROPOSED
AGREED PROTECTIVE ORDER**

The Parties file this Joint Motion and Memorandum for Entry of Proposed Agreed Protective Order stating:

1. Magistrate Pham held a hearing on Plaintiffs' Motion to Compel on December 13, 2018.

2. During the Motion to Compel Hearing, Magistrate Pham ordered the parties to submit a Joint Motion and Memorandum for Entry of Proposed Agreed Protective Order or separate motions.

3. A Protective Order is needed to insure confidentiality of information produced by the parties, which includes operations of the Shelby County Jail and prevent distribution of this information beyond the terms of the Protective Order.

4. Pursuant to Magistrate Pham's Order, the parties met and conferred regarding the proposed Agreed Protective Order this afternoon.

5. The Parties conferred regarding how to handle expunged records and files. The parties will continue to confer regarding expunged records and files and provide the Court an amendment to the proposed Agreed Protective Order regarding this issue.

6. The Parties agreed to the attached proposed Agreed Protective Order. The proposed Agreed Protective Order is attached hereto as Exhibit A. The parties will submit the proposed Agreed Protective Order through the Court's e-mail account.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully request that the Court approved the proposed Agreed Protective Order.

Respectfully submitted,

/s/ Odell Horton, Jr.

Robert E. Craddock, Jr. (# 5826)

Odell Horton, Jr. (# 12426)

Amber D. Floyd (#29160)

Wyatt Tarrant & Combs LLP

6070 Poplar Avenue, Suite 300

Memphis, TN 38119

(901) 537-1000

rcraddock@wyattfirm.com

ohorton@wyattfirm.com

afloyd@wyattfirm.com

AND

E. Lee Whitwell (# 33622)
Shelby County Attorney's Office
160 North Main Street, Suite 950
Memphis, TN 38103
(901) 222-2100
lee.whitwell@shelbycountyttn.gov
Counsel for Shelby County Defendants

CERTIFICATE OF CONSULTATION

On December 31, 2018, counsel for the parties conferred by telephone conference regarding the proposed Agreed Protective Order. The Parties agree to this proposed Agreed Protective Order except for handling expunged records. The Parties will provide an amendment to the proposed Agreed Protective Order regarding expunged files.

/s/ Odell Horton, Jr.

CERTIFICATE OF SERVICE

The undersigned certifies that on December 31, 2018, a true and correct copy of the foregoing has been served upon the following counsel, via the Court's ECF filing system:

Michael G. McLaren
William E. Cochran, Jr.
Brice M. Timmons
BLACK MCLAREN JONES RYLAND &
GRIFFEE PC
530 Oak Court Drive, Suite 360
Memphis, TN 38117

Frank L. Watson, III
William F. Burns
WATSON BURNS, PLLC
253 Adams Avenue
Memphis, Tennessee 38104

Bradley E. Trammell
Baker, Donelson, Bearman, Caldwell &
Berkowitz
165 Madison Avenue, Suite 2000
Memphis, TN 38103

Beth Petronio
K&L Gates
1717 Main Street, Suite 2800
Dallas, Texas 7520

/s/ Odell Horton, Jr.